

DRAFT INFORMAL REGULATORY TEXT

TITLE 14: NATURAL RESOURCES
DIVISION 7: DEPARTMENT OF RESOURCES, RECYCLING AND RECOVERY
CHAPTER 9: PLANNING GUIDELINES AND PROCEDURES FOR
PREPARING AND REVISING COUNTYWIDE INTEGRATED
WASTE MANAGEMENT PLANS
ARTICLE 6.3: HOUSEHOLD HAZARDOUS WASTE ELEMENTS

~~Section 18751.2. Household Hazardous Waste Existing Conditions Description.~~

All public agencies responsible for household hazardous waste (HHW) management must complete and submit either the CIWMB (Board) Form CIWMB 303a (1/06) entitled "Lead Agency Form 303a Household Hazardous Waste Collection Information For Fiscal Year ____/____", or Form CIWMB 303b (1/06) entitled "Non Lead Agency Form CIWMB 303b Household Hazardous Waste Collection Information For Fiscal Year ____/____", to the Board each year. Both forms are incorporated herein by reference and are located in Appendix A. Commencing with reports for Fiscal Year 2006/2007, Forms CIWMB 303a and CIWMB 303b shall be completed and submitted electronically to the Department of Toxic Substances Control each year, or, upon request to the CIWMB, the public agency may be exempted from filing electronically, and instead complete and submit a hard copy of either Form CIWMB 303a or CIWMB 303b. Form CIWMB 303a provides a description of the existing household hazardous waste program identifying the types and quantities of household hazardous wastes that are currently collected, reused, recycled, treated and/or otherwise managed and/or disposed through existing programs. Form CIWMB 303b provides only contact information for a non-lead agency, and provides, if applicable, for the types and quantities of universal waste collected and recycled by a non-lead agency.

The following are requirements for submitting Forms CIWMB 303a or CIWMB 303b:

(a) The reporting timeframe shall be July 1 of the previous fiscal year through June 30 of the current fiscal year, with the form required to be returned to the state by the first of October each year.

(b) The forms must be completed, to the extent applicable, whether or not waste was collected by a jurisdiction. If a public agency is not the lead agency collecting waste through a HHW program or a waste collection program was not conducted by their jurisdiction, only Form CIWMB 303b must be completed and submitted to the CIWMB.

(c) Each public agency acting as lead agency for Household Hazardous Waste collection must complete and submit one Form CIWMB 303a that includes all HHW program types including, but not limited to, permanent, temporary, recycle only, mobile, door-to-door, curbside (other than oil), and with a category designated as "Other" for additional program type identification.

~~Section 18751.2.1.~~

The following terms used in this Article are defined as follows:

(a) Program types listed in Section 18751.2(c) are defined in Health and Safety Code 25218.1;

(b) With the exception of electronic waste, waste types listed in Section F of Form CIWMB 303a are defined in 49 Code of Federal Regulations Section 172.101, and

(c) Management Methods listed in Section F of Form CIWMB 303a have the following definitions:

~~(1) Destructive Incineration—treatment by thermal destruction at a high temperature hazardous waste incinerator where the physical destruction is the sole intent of the treatment process.~~

~~(2) Fuel Incineration—treatment by thermal destruction where the waste, either by itself or blended with another material, is burned to recover its potential thermal energy.~~

~~(3) Landfill—disposal of a waste in the ground (and in this case) at a hazardous waste landfill.~~

~~(4) Neutralization—treatment by chemically adjusting the pH of the waste so that the waste can be discharged into a publicly owned treatment works (does not apply if after neutralization, the waste is still hazardous and is sent for disposal or treatment by one of the other methods).~~

~~(5) Recycled—waste is sent for resource recovery where the raw materials used for making the material before it became a waste are recovered to make new materials of the same or different nature (does not include fuel incineration).~~

~~(6) Reused—waste is used without further treatment or handling for the original intended purpose of the material before it became a waste.~~

~~(7) Stabilization—treatment where waste is chemically stabilized into a solid or semi-solid state such that it no longer exhibits hazardous characteristics and can be managed as non-hazardous waste (does not apply if after stabilization, waste is still hazardous and is sent for disposal or treatment by one of the other methods described here).~~

Section 18751.2. Purpose.

This Article establishes guidelines for the form 303 household hazardous waste report, which local government agencies in California must submit annually to report household hazardous waste quantities collected and managed by those agencies.

Section 18751.2.1. Definitions.

(a) The following definitions shall only apply to this Article and except as otherwise noted, the definitions of this Article supplement and are governed by the definitions set forth in Chapter 5 (commencing with §48700), Part 7, Division 30 of the Public Resources Code:

(1) "Must" or "shall" means a provision is mandatory.

(2) "May" means a provision is permissive.

(b) "Household hazardous waste," or "HHW" means household hazardous waste as defined in Health and Safety Code §25218.1(e)

(c) "Lead Agency" means a public agency that handles or sponsors household hazardous waste collection programs for other public agencies

(d) "Non-Lead Agency" means a public agency that manages household hazardous waste through a Lead Agency. Non-lead agencies may run their own programs separate from the lead agency or choose to manage some household hazardous waste separately from their Lead Agency.

(e) "Permanent household hazardous waste collection facility" means a permanent household hazardous waste collection facility as defined in Health and Safety Code §25218.1(h)

(f) "Stewardship Program" means a program run by manufacturers or a designated stewardship organization to manage their products.

(g) Program types listed in Section 18751.2.3(c) are defined in Health and Safety Code 25218.1;

(h) With the exception of electronic waste, waste types listed in §18751.2.3(a)(1)-(9) are defined in 49 Code of Federal Regulations Section 172.101

(i) Management Methods listed in §18751.2.3(d) have the following definitions:

(1) Destructive Incineration - treatment by thermal destruction at a high temperature hazardous waste incinerator where the physical destruction is the sole intent of the treatment process.

(2) Fuel Incineration - treatment by thermal destruction where the waste, either by itself or blended with another material, is burned to recover its potential thermal energy.

(3) Landfill - disposal of a waste in the ground (and in this case) at a hazardous waste landfill.

(4) Neutralization - treatment by chemically adjusting the pH of the waste so that the waste can be discharged into a publicly owned treatment works (does not apply if after neutralization, the waste is still hazardous and is sent for disposal or treatment by one of the other methods).

(5) Recycled -waste is sent for resource recovery where the raw materials used for making the material before it became a waste are recovered to make new materials of the same or different nature (does not include fuel incineration).

(6) Reused - waste is used without further treatment or handling for the original intended purpose of the material before it became a waste.

(7) Stabilization - treatment where waste is chemically stabilized into a solid or semi-solid state such that it no longer exhibits hazardous characteristics and can be managed as non-hazardous waste (does not apply if after stabilization, waste is still hazardous and is sent for disposal or treatment by one of the other methods described here).

(8) Stewardship Program – waste is sent for management by a stewardship program.

Section 18751.2.2. Submittals.

(a) All public agencies responsible for HHW management must submit as part of the form 303 reporting process the following information to the Department of Resources Recycling and Recovery:

(1) Contact information of the person responsible for submitting the HHW collection data, including but not limited to:

(A) Name of HHW program manager

(B) Name of public agency

(C) Mailing address

(D) Phone Number

(E) E-mail address

(F) Contractor's name, if applicable

(2) Program information

(A) If the reporting agency is a lead agency, the reporting agency shall provide the names of their participating non-lead agencies.

(B) Information pertaining to each permanent HHW collection facility within the program service area, if applicable, including but not limited to:

(i) Name of Facility

(ii) EPA ID number

(iii) Facility address

(iv) Site contact name and title

(v) E-mail address of site contact

(C) A list of Program Types used, including an EPA ID number for each program type.

(D) Number of households that participated in the collection program

(E) Number of households in service area

(b) The reporting timeframe shall be July 1 of the previous fiscal year through June 30 of that fiscal year, with the information required to be submitted to the state by the October 1 of the following fiscal year.

(c) Each public agency that is responsible for HHW management shall annually report to the Department of Resources Recycling and Recovery the quantity of HHW collected, by weight in pounds, through their program during the preceding reporting period.

(1) If the reporting agency is a lead agency, the reporting agency may include HHW quantities collected on behalf of a participating agency in their form 303 report, but are not required to report specific quantities for each participating agency.

(2) If the reporting agency manages HHW through a lead agency, the reporting agency shall only report on any HHW management that was not reported by their lead agency. If the lead agency has already reported HHW quantities that correspond to the reporting agency, the reporting agency shall not include those quantities in their form 303 report.

(3) A public agency is not required to submit a form 303 only if the following two conditions are met:

(i) The agency is a non-lead agency; and

(ii) All of the agency's HHW collection quantities are reported on their lead agency's 303 submittal.

(d) If a public agency is collecting HHW on behalf of or through a stewardship program, the public agency shall include those materials in their 303 report.

Section 18751.2.3. Material Collection and Disposition

(a) HHW collection quantities shall be reported for the following categories:

(1) Flammable and Poison

(2) Inorganic and organic acid

(3) Inorganic and organic base

- (4) Neutral oxidizers, organic peroxides, oxidizing acid/base
- (5) PCB-containing materials
- (6) Reclaimable
- (7) Asbestos
- (8) Universal Waste
- (9) Other HHW

(b) If a material not listed in (a)(1)-(9) is determined to be a hazardous waste under Health and Safety Code §25175(a)(1)-(2) or other statute or regulations, the reporting agency shall report the collection of that material via the form 303.

(c) Each public agency shall report the program types used to collect the HHW reported in sections (a) and, if applicable, (b). Program types include the following:

- (1) Permanent HHW collection facility
- (2) Temporary (periodic) facility
- (3) Mobile Facility
- (4) Recycle-only facility
- (5) Door to Door (residential) program
- (6) Curbside Program (other than oil)
- (7) Load Check
- (8) Other program type not specifically listed in (c)(1)-(7). The reporting agency shall describe the program type used.

(d) Each public agency shall report the disposition of the HHW collected by their program, by weight in pounds, during the preceding reporting period by the following categories:

- (1) Destructive Incineration
- (2) Fuel Incineration
- (3) Landfill
- (4) Neutralization/Treatment
- (5) Recycled
- (6) Reused
- (7) Stabilization
- (8) Stewardship Program. The reporting agency shall name the stewardship program(s) used.